

**SUPREME COURT MINUTES
THURSDAY, APRIL 11, 2002
SAN FRANCISCO, CALIFORNIA**

S022481 People, Respondent

v.

Martin Anthony Navarette, Appellant

Good cause appearing, and based upon counsel Jeffrey J. Garland's representation that he anticipates filing the reply brief by September 30, 2002, counsel's request for an extension of time in which to file that brief is granted to May 13, 2002. After that date, only three further extensions totaling 139 additional days will be granted. Counsel is ordered to inform his assisting entity of this schedule, and take all steps necessary to meet this schedule.

S032509 People, Respondent

v.

Erik Sanford Chatman, Appellant

Good cause appearing, and based upon counsel Mark Goldrosen's representation that he anticipates filing the reply brief by the second full week of October 2002, counsel's request for an extension of time in which to file that brief is granted to June 14, 2002. After that date, only two further extensions totaling 120 additional days are contemplated.

S033901 People, Respondent

v.

Catherine Thompson, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 7, 2002.

S035368 People, Respondent

v.

Enrique Zambrano, Appellant

Good cause appearing, and based upon Deputy Attorney General Martin S. Kaye's representation that he anticipates filing respondent's brief by April 16, 2002, counsel's request for an extension of time in which to file that brief is granted to April 16, 2002. After that date, no further extension will be granted.

S037006 People, Respondent

v.

Michael James Huggins, Appellant

Good cause appearing, and based upon Deputy Attorney General Allan Yannow's representation that he anticipates filing the respondent's brief by April 22, 2002, counsel's request for an extension of time in which to file that brief is granted to April 22, 2002. After that date, no further extension will be granted.

S045060 People, Respondent

v.

Keith Thomas Loker, Appellant

Good cause appearing, counsel's request for an extension of time in which to file the appellant's opening brief is granted to June 7, 2002. The court anticipates that after that date, only five further extensions totaling 300 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and take all steps necessary to meet this schedule.

S045423 People, Respondent

v.

Edgardo Sanchez Fuentes, Appellant

Good cause appearing, and based upon Deputy State Public Defender Michael P. Goldstein's representation that he anticipates filing the request for correction of the record by July 10, 2002, counsel's request for an extension of time in which to request correction of the record in the superior court is granted to June 10, 2002. After that date, only one further extension totaling 30 additional days is contemplated.

Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S056425 People, Respondent

v.

Richard Allen Davis, Appellant

Good cause appearing, counsel's request for an extension of time in which to request correction of the record in the superior court is granted to May 3, 2002. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform the Santa Clara County

Superior Court and his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and take all steps necessary to meet this schedule.

Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S074429 People, Respondent

v.

Drax Quartermain, Appellant

Good cause appearing, and based upon Supervising Deputy State Public Defender Wilbur H. Haines III's representation that he anticipates filing the appellant's opening brief by June 11, 2002, counsel's request for an extension of time in which to file that brief is granted to June 11, 2002. After that date, no further extension is contemplated.

S086474 In re Ralph Michael Yeoman

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including May 10, 2002.

S089463 In re Dennis Harold Lawley

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's return to the order to show cause is extended to and including April 29, 2002.

S090684 In re Paul C. Bolin

on

Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Rachelle A. Newcomb's representation that she anticipates filing the informal response by May 1, 2002, counsel's request for an extension of time in which to file that brief is granted to May 1, 2002. After that date, no further extension will be granted.

S098817 Covenant Care, Inc., et al., Petitioners

v.

Los Angeles County Superior Court, Respondent

Lourdes M. Inclan et al., Real Parties in Interest

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file a single answer to multiple amicus curiae briefs is extended to and including May 1, 2002.

S093551 In re Michael Ray Burgener

on

Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Lilia E. Garcia's representation that she anticipates filing the informal response by April 15, 2002, counsel's request for an extension of time in which to file that brief is granted to April 15, 2002. After that date, no further extension will be granted.

S100140 In re David H. Morales

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including April 29, 2002.

S101922 In re Michele D., a Person Coming Under the Juvenile Court Law

People, Respondent

v.

Michele D., Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including June 7, 2002.

S102162 People, Respondent

v.

Raul Gomez Gutierrez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including May 20, 2002.

S102422 In re Alvaro Ruiz
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is hereby ordered that the time to serve and file the informal response is extended to and including May 15, 2002.

S102580 In re Richard Bert Stewart
 on
 Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Mark S. Howell's representation that he anticipates filing the informal response by November 15, 2002, counsel's request for an extension of time in which to file that brief is granted to May 6, 2002. After that date, only seven further extensions totaling 194 additional days will be granted.

S103581 In re Pamela C. Martinez
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including May 22, 2002.

S103746 People, Respondent
 v.
 Peter William Kramer, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including May 12, 2002.

No further extensions of time are contemplated.

S104019 Gerawan Farming, Inc., Plaintiff and Cross-complainant
 v.

William Lyons, Jr., Defendant and Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended by thirty days to and including May 20, 2002.

S098290 People, Respondent

v.

Michael Joseph Sparks, Appellant

The application of appellant for rescheduling of oral argument is hereby denied.

S103703 People, Respondent

v.

Franz Gruninger, Appellant

In re Franz Gruninger on Habeas Corpus

Upon request of appellant for appointment of counsel, Douglas G. Benedon is hereby appointed to represent appellant on his appeal now pending in this court.

S103761 People, Respondent

v.

Randy Loyd Buttram, Appellant

Upon request of appellant for appointment of counsel, Appellate Defenders Inc. is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S103735 In re **Graham Edward Berry** on Discipline

It is ordered that **Graham Edward Berry, State Bar No. 128503**, be suspended from the practice of law for 18 months, that execution of the suspension be stayed, and that he be placed on probation for 18 months subject to the conditions of probation,

including 9 months actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on October 29, 2001, as modified by its order filed November 26, 2001. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2003, 2004 and 2005.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S103770 In re **Gary Alan Smith** on Discipline

It is ordered that **Gary Alan Smith, State Bar No. 78234**, be suspended from the practice of law for 18 months, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for four months, as recommended by the Hearing Department of the State Bar Court in its decision filed on November 2, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S103774 In re **Steven Paul Coleman** on Discipline

It is ordered that **Steven Paul Coleman, State Bar No. 196142**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 75 days. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 28, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S103865 In re **Robert Thomas Burns** on Discipline

It is ordered that **Robert Thomas Burns, State Bar No. 149060**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for two years and until he makes restitution to Jose Magana (or the Client Security Fund, if appropriate) in the amount of \$1,000.00 plus 10% interest per annum from March 8, 2000, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on November 9, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. It is further ordered that **Robert Thomas Burns** take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that **Robert Thomas Burns** comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that

rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S103866 In re **David Lee Samuelson** on Discipline

It is ordered that **David Lee Samuelson, State Bar No. 96060**, be suspended from the practice of law for 90 days, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 21, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S103921 In re **Wayne Anthony James** on Discipline

It is ordered that **Wayne Anthony James, State Bar No. 95271**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 80 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed December 6, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S104012 In re **Valerie Sue Weiss** on Discipline

It is ordered that **Valerie Sue Weiss, State Bar No. 126500**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that she be placed on probation for 18 months on condition that she be actually suspended for 30 days.

Valerie Sue Weiss is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed December 4, 2001. Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2003, 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

S105632 In the Matter of the Resignation of **Dennis Ward Twitchell**
A Member of the State Bar of California

The voluntary resignation of **Dennis Ward Twitchell, State Bar No. 54713**, as a member of the State Bar of California is accepted.

S105633 In the Matter of the Resignation of **Frank William Swann**
A Member of the State Bar of California

The voluntary resignation of **Frank William Swann, State Bar No. 18314**, as a member of the State Bar of California is accepted.

S105634 In the Matter of the Resignation of **William Peter George Double**
A Member of the State Bar of California

The voluntary resignation of **William Peter George Double, State Bar No. 130599** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. Costs are awarded to the State Bar.

S105637 In the Matter of the Resignation of **John R. Perry**
A Member of the State Bar of California

The voluntary resignation of **John R. Perry, State Bar No. 147787**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days,

respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

- S105639 In the Matter of the Resignation of **Daniel M. Chesnut**
A Member of the State Bar of California
The voluntary resignation of **Daniel M. Chesnut, State Bar No. 152136**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)
- S105644 In the Matter of the Resignation of **Alice Goldstein**
A Member of the State Bar of California
The voluntary resignation of **Alice Goldstein, State Bar No. 76556**, as a member of the State Bar of California is accepted.
- S105646 In the Matter of the Resignation of **Elmer Ray Jennings**
A Member of the State Bar of California
The voluntary resignation of **Elmer Ray Jennings, State Bar No. 23791**, as a member of the State Bar of California is accepted.
- S105647 In the Matter of the Resignation of **John Joseph Klee, Jr.**
A Member of the State Bar of California
The voluntary resignation of **John Joseph Klee, Jr., State Bar No. 29874**, as a member of the State Bar of California is accepted.
- S105649 In the Matter of the Resignation of **Judith Brown McDonough**
A Member of the State Bar of California
The voluntary resignation of **Judith Brown McDonough, State Bar No. 156793**, as a member of the State Bar of California is accepted.

S105650 In the Matter of the Resignation of **Stephen Michael Plafker**
A Member of the State Bar of California

The voluntary resignation of **Stephen Michael Plafker, State Bar No. 58028**, as a member of the State Bar of California is accepted.

S105652 In the Matter of the Resignation of **Rocky McGill**
A Member of the State Bar of California

The voluntary resignation of **Rocky McGill, State Bar No. 111868**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)